

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SYMANTEC CORPORATION, a Delaware Corporation,

Plaintiff,

CASE NO. CV-11-03146-WHA

**[PROPOSED] ORDER REGARDING
DISCOVERY HEARING**

JOHNS CREEK SOFTWARE, INC., a
Georgia Corporation, STEPHEN
CHEATHAM, an individual, and DOES 1-10,

Defendants.

Based on a discovery letter brief dated June 22, 2012, submitted by plaintiff Symantec Corporation (“Symantec”) (Dkt #107), the Court held a hearing on June 29, 2012, and ORDERS as follows:

22 1. Defendant Stephen Cheatham is ordered to appear for the continuation of his
23 deposition on Thursday, July 5, 2012 at 10:30 a.m. at Latham & Watkins LLP, 600 West
24 Broadway, Suite 1800, San Diego, California 92101.

25 2. Defendants Johns Creek Software, Inc. and Stephen Cheatham, and their
26 attorneys, are ordered to pay all of the fees and expenses incurred by Symantec related to the
27 June 22, 2012 letter brief and June 29, 2012 hearing. Defendants shall provide a check made
28 payable to "Symantec Corporation" in the amount of \$9,463.74, to Jennifer Barry, Latham &

1 Watkins LLP, 600 West Broadway, Suite 1800, San Diego, California 92101, within ten (10)
2 days of the date of this Order.

3 3. Symantec is excused from any obligation to produce witnesses for deposition, or
4 to provide dates that its witnesses are available for deposition, until Defendants Johns Creek
5 Software, Inc. and Stephen Cheatham, and their attorneys, have fully complied with the terms of
6 this Order.

7 **IT IS SO ORDERED.**

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9 Dated: July 9, 2012.



Honorable William H. Alsup
United States District Judge

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11 Submitted by:

12 /s/ Jennifer L. Barry
13 Perry J. Viscounty
14 Jennifer L. Barry
15 LATHAM & WATKINS LLP
16 Attorneys for Plaintiff
17 SYMANTEC CORPORATION

18 Approved as to form by:

19 /s/ Howard Neu
20 Curtis E. Smolar
21 James E. Doroshow
22 FOX ROTHSCHILD LLP
23 Howard Neu
24 LAW OFFICES OF HOWARD M. NEU, PA

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26
27
28 Roger I. Teich

29 Attorneys for Defendants
30 JOHNS CREEK SOFTWARE, INC.
31 AND STEPHEN CHEATHAM

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33 ATTESTATION: I certify that I obtained concurrence in the filing of this document from all parties whose
34 electronic signatures appear above. /s/ Jennifer L. Barry